

**OFFICE OF THE COMMON COUNCIL  
CITY HALL – ROME, NEW YORK 13440**



**1<sup>ST</sup> WARD  
Lori A. Trifeletti**

**2<sup>ND</sup> WARD  
John B. Mortise**

**3<sup>RD</sup> WARD  
Kimberly Rogers**

**4<sup>TH</sup> WARD  
Ramona L. Smith**

**5<sup>TH</sup> WARD  
Frank R. Anderson**

**6<sup>TH</sup> WARD  
John A. Nash**

**7<sup>TH</sup> WARD  
Lou DiMarco Jr.**

**John J. Mazzaferro  
President Common Council**

**CITY CLERK  
Louise S. Glasso**

**COMMON COUNCIL MEETING  
REGULAR SESSION**

**APRIL 8, 2015  
7:00PM**

**1. CALLING THE ROLL OF MEMBERS BY THE CLERK**

**2. PLEDGE OF ALLEGIANCE**

**3. INVOCATION**

**4. GENERAL PUBLIC HEARING**

The time limit for speakers at the general public hearing shall be limited to (5) continuous minutes. The President of the Common Council may extend this time up to an additional five (5) minutes at his discretion; and further extensions must be approved by a majority of the council.

**5. RECOGNITION/APPRECIATION**

**6. READING OF THE MINUTES OF THE PRECEDING SESSION**

(Motion in order that the reading of the minutes of the preceding session be dispensed with and that they be approved.)

**7. PRESENTING OF PETITIONS AND COMMUNICATIONS.**

**A. PETITIONS**

**B. COMMUNICATIONS.**

The following businesses have notified the City Clerk's Office of their intention to renew liquor licenses:

China House Restaurant

503 N. James St. (Received & filed)

**8. NOTICES**

**9. REPORT OF CITY OFFICIALS**

**10. REPORT OF COUNCILORS AND GENERAL CITY AFFAIRS**

**11. PRESENTING OF REPORT OF COMMITTEES**

**12. RESOLUTIONS**

**RES. NO. 42**

**A**

**AUTHORIZING THE CLOSING OF A PORTION OF NORTH JAMES STREET ON MAY 25, 2015, FOR A MEMORIAL DAY PROGRAM. Mazzaferro**

**RES. NO. 43**

**B**

**AUTHORIZING STAFF WITHIN THE OFFICE OF THE CITY TREASURER TO ATTEND TRAINING. Nolan**

**RES. NO. 44**

**D**

**AUTHORIZING THE CITY OF ROME TO ACCEPT A DONATION OF THE PROPERTY LOCATED AT 406 ANNE STREET VIA DEED IN LIEU OF FORECLOSURE. Benedict**

**RES. NO. 45**

**E**

**AUTHORIZING THE CITY OF ROME TO ACCEPT A DONATION OF THE PROPERTY LOCATED AT 606 LAWRENCE STREET VIA DEED IN LIEU OF FORECLOSURE. Benedict**

**RES. NO. 46**

**G**

**RESOLUTION DETERMINING THAT THE PROPOSED ACTION IS A TYPE II ACTION FOR PURPOSES OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT. Nolan**

**RES. NO. 47**

**I**

**RESOLUTION DETERMINING THAT PROPOSED ACTIONS ARE TYPE II ACTIONS FOR PURPOSES OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT. Nolan**

**RES. NO. 48**

**K**

**RESOLUTION DETERMINING THAT PROPOSED ACTION IS A ARE TYPE II ACTION FOR PURPOSES OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT. Nolan**

**RES. NO. 49**

**M**

**RESOLUTION DETERMINING THAT ACTION TO CONSTRUCT AND INSTALL CERTAIN IMPROVEMENTS TO THE CITY WATER SUPPLY AND DISTRIBUTION SYSTEM WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. Nolan**

**13. ORDINANCES**

**A.**

**%Lacking Unanimous Consent**

**B.**

**Current Legislation**

**ORD. NO. 8993**

**C**

**AUTHORIZING MAYOR OF THE CITY OF ROME TO APPROVE THE SALE OF CITY OWNED PARCEL (210 HENRY STREET) TO BUYER. Domenico**

**ORD. NO. 8894**

**F**

**AUTHORIZING THE ISSUANCE OF \$35,000 SERIAL BONDS OF THE CITY OF ROME, ONEIDA COUNTY, NEW YORK TO FINANCE THE PURCHASE OF A FIRE DEPARTMENT COMMAND VEHICLE. Nolan**

**ORD. NO. 8895**

**H**

**AUTHORIZING THE ISSUANCE OF NOT EXCEED \$1,201,000 BONDS OF THE CITY OF ROME, ONEIDA COUNTY, NEW YORK, TO FINANCE THE PURCHASE OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE. Nolan**

**ORD. NO. 8896**

**J**

**AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$100,000 SERIAL BONDS OF THE CITY OF ROME, ONEIDA COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION FIRE DEPARTMENT LOCKER ROOMS. Nolan**

**ORD. NO. 8897**

**L**

**AUTHORIZING THE ISSUANCE OF \$8,500,000 BONDS OF THE CITY OF ROME, ONEIDA COUNTY, NEW YORK, TO PAY COSTS OF IMPROVEMENTS TO THE CITY WATER SUPPLY AND DISTRIBUTION SYSTEM. Nolan**

**14. LOCAL LAWS**

**15. TABLED LEGISLATION**

**16. VETOED LEGISLATION**

**17. ADJOURNMENT**

**% Ordinances require unanimous consent to be acted upon when first introduced**

**NEXT SCHEDULED COMMON COUNCIL MEETING ~ April 22, 2015**

## RESOLUTION NO. 42

AUTHORIZING THE CLOSING OF A PORTION OF NORTH JAMES STREET  
ON MAY 25, 2015, FOR A MEMORIAL DAY PROGRAM

By Councilor \_\_\_\_\_:

WHEREAS, the Rome Memorial Day Association has contacted the City of Rome requesting the closing of a portion of North James Street, from West Liberty Street north to West Court Street on Monday, May 25, 2015, to allow for the annual Memorial Day Program; now, therefore,

BE IT RESOLVED, that the Common Council of the City of Rome, New York, does hereby authorize the closing of a portion of North James Street, from West Liberty Street north to West Court Street, on Monday, May 25, 2015, from 10:00 a.m. to 11:30 a.m. to allow for the Annual Memorial Day Program to be held on said date; and

BE IT FURTHER RESOLVED, that on Monday, May 25, 2015, only, for the above-noted time period, parking on the west side of North James Street shall be limited to handicapped parking only; and

BE IT FURTHER RESOLVED, that this authorization is contingent upon the above organization providing the City of Rome with a certificate of insurance in the amount of \$1,000,000 per occurrence for Bodily Injury and Death/Property damage and a minimum general aggregate coverage of \$2,000,000, naming the City of Rome as an additional insured, and indemnifying and holding the City of Rome harmless from any and all liability arising out of the closing of that portion of North James Street, from 10:00 a.m. to 11:30 a.m., on Monday, May 25, 2015, as outlined hereinabove; and

BE IT FURTHER RESOLVED, that the above authorization shall take effect upon placement of the appropriate barriers at each end of the affected area.

Seconded by Councilor \_\_\_\_\_.

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

RESOLUTION NO. 43

AUTHORIZING STAFF WITHIN THE OFFICE OF THE CITY TREASURER  
TO ATTEND TRAINING

By Councilor \_\_\_\_\_:

BE IT RESOLVED, that pursuant to Section 77-b of the General Municipal Law of the State of New York, David Nolan, City Treasurer; Pasquale Lisandrelli, Deputy Treasurer; and Jennifer Gotti, Account Clerk for the City of Rome, be and are hereby authorized to attend Office of the Comptroller Training, (Pasquale Lisandrelli to attend May 19-21, 2015 in Manlius, New York, and Dave Nolan And Jennifer Gotti to attend June 2-4, 2015 in Watertown, New York), pursuant to the attached description of said training, which is made part of this Resolution. The cost of this training is \$85.00 for each individual attendee (per course), totaling an amount not to exceed \$425.00, plus mileage for one driver.

Seconded by Councilor \_\_\_\_\_.

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

## David Nolan

**From:** LocalTraining@osc.state.ny.us  
**Sent:** Monday, March 23, 2015 1:35 PM  
**To:** David Nolan  
**Subject:** Reminder: OSC Offers Governmental Accounting Training



Dear Local Official:

The Office of the State Comptroller's Division of Local Government and School Accountability announces its 2015 schedule of governmental accounting training.

**Introduction to Governmental Accounting** (Basic class) - This class is intended for individuals who possess some accounting experience, but are newcomers to governmental accounting in New York. It is designed to familiarize participants with the basic concepts of governmental accounting and give them a working knowledge of basic bookkeeping procedures.

**April 14-16, 2015**

**Ulster County Office Building, Kingston (Ulster County)**

**April 21-23, 2015**

**Village of East Aurora (Erie County)**

**June 2-4, 2015**

**Dulles State Office Building, Watertown (Jefferson County)**

**October 27-29, 2015**

**Town of Chenango (Broome County)**

For **registration forms**, course content, and additional information, please visit the Office of the State Comptroller's website at: <http://www.osc.state.ny.us/localgov/training/basic.htm>

**Accounting Principles and Procedures** (Advanced class) - This training is intended as a follow-up to the Introduction to Governmental Accounting class or for those with accounting experience. It is designed to familiarize participants with accounting and financial reporting requirements for local governments in New York.

**May 19-21, 2015**

**Village of Manlius (Onondaga County)**

**September 1-3, 2015**

**Dulles State Office Building, Watertown (Jefferson County)**

**September 9-11, 2015**

**Ulster County Office Building, Kingston (Ulster County)**

**October 20-22, 2015**

**Village of East Aurora (Erie County)**

For **registration forms**, course content, and additional information, please visit the Office of the State Comptroller's website at: <http://www.osc.state.ny.us/localgov/training/advanced.htm>

Space is limited so please register early.

If you have any questions, please contact the Local Official Training Unit at (518) 473-0005 or email: [LocalTraining@osc.state.ny.us](mailto:LocalTraining@osc.state.ny.us).

Office of the State Comptroller - 110 State Street - Albany, NY 12236  
<http://www.osc.state.ny.us/localgov/index.htm> | [LocalTraining@osc.state.ny.us](mailto:LocalTraining@osc.state.ny.us)

## RESOLUTION NO. 44

AUTHORIZING THE CITY OF ROME TO ACCEPT A DONATION OF THE PROPERTY  
LOCATED AT 406 ANNE STREET VIA DEED IN LIEU OF FORECLOSURE

By Councilor \_\_\_\_\_:

WHEREAS, pursuant to §25(2) of the Rome City Charter, the City of Rome Common Council has the authority to take and hold real property for any municipal purpose and to sell and convey same in accordance with applicable law; and

WHEREAS, pursuant to §299.1 of the Rome City Charter, the City of Rome Common Council has the authority to—in lieu of prosecuting the sale or foreclosure of any parcel of real property subject to a tax lien, accept a conveyance of the interest of any person having title to such a parcel; and

WHEREAS, according to records kept and maintained by the City of Rome Assessor's Danielle L. Johnson owns real property located in the City of Rome and commonly referred to as 406 Anne Street (Oneida County Tax Map Parcel No.: 242.073-0002-032), hereinafter as "Property", and currently owes real property taxes in excess of Eleven Thousand, Six Hundred Dollars (\$11,600.00), which will permit the City of Rome to foreclose upon the Property; and

WHEREAS, Ms. Johnson has proffered to convey the Property to the City in lieu of the foreclosure and which said offer was considered and evaluated by the City of Rome Real Property Committee, which recommends that the Common Council authorize the conveyance of the Property in lieu of the foreclosure action; now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that, pursuant to Rome Charter Laws, §25 and §299.1, the City of Rome be and is hereby authorized to accept the donation and conveyance of property located at 406 Anne Street, Rome, New York (Oneida County Tax Map No. 242.073-0002-032) via a deed in lieu of foreclosure from Danielle L. Johnson and that the Mayor of the City of Rome, or his designee, be authorized to execute any and all documents necessary to effectuate said conveyance and that the City may expend funds to record said transaction; and

BE IT FURTHER RESOLVED, that the authorization approved hereby shall not be final until the Board of Estimate and Contract approves said conveyance.

Seconded by Councilor \_\_\_\_\_.

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:



## RESOLUTION NO. 45

AUTHORIZING THE CITY OF ROME TO ACCEPT A DONATION OF THE PROPERTY  
LOCATED AT 606 LAWRENCE STREET VIA DEED IN LIEU OF FORECLOSURE

By Councilor \_\_\_\_\_:

WHEREAS, pursuant to §25(2) of the Rome City Charter, the City of Rome Common Council has the authority to take and hold real property for any municipal purpose and to sell and convey same in accordance with applicable law; and

WHEREAS, pursuant to §299.1 of the Rome City Charter, the City of Rome Common Council has the authority to—in lieu of prosecuting the sale or foreclosure of any parcel of real property subject to a tax lien, accept a conveyance of the interest of any person having title to such a parcel; and

WHEREAS, according to records kept and maintained by the City of Rome Assessor's Elena M. Ellsworth owns real property located in the City of Rome and commonly referred to as 606 Lawrence Street (Oneida County Tax Map Parcel No.: 242.082-0001-014), hereinafter as "Property", and currently has various violations of the New York State Property Maintenance Code owes real property taxes in excess of Eight Thousand, Nine Hundred Dollars (\$8,900.00), which will permit the City of Rome to foreclose upon the Property; and

WHEREAS, Ms. Ellsworth has proffered to convey the Property to the City in lieu of the foreclosure and which said offer was considered and evaluated by the City of Rome Real Property Committee, which recommends that the Common Council authorize the conveyance of the Property in lieu of the foreclosure action; now, therefore,

BE IT RESOLVED, by the Common Council of the City of Rome, New York, that, pursuant to Rome Charter Laws, §25 and §299.1, the City of Rome be and is hereby authorized to accept the donation and conveyance of property located at 606 Lawrence Street (Oneida County Tax Map Parcel No.: 242.082-0001-014) via a deed in lieu of foreclosure from Elena M. Ellsworth and that the Mayor of the City of Rome, or his designee, be authorized to execute any and all documents necessary to effectuate said conveyance and that the City may expend funds to record said transaction; and

BE IT FURTHER RESOLVED, that the authorization approved hereby shall not be final until the Board of Estimate and Contract approves said conveyance.

Seconded by Councilor \_\_\_\_\_.

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

## RES NO. 46

RESOLUTION DETERMINING THAT THE PROPOSED ACTION IS A TYPE  
II ACTION FOR PURPOSES OF THE NEW YORK STATE  
ENVIRONMENTAL QUALITY REVIEW ACT

By Councilor \_\_\_\_\_

WHEREAS, the Common Council of the City of Rome, Oneida County, New York (the "City") is considering undertaking the purchase of a Fire Department command vehicle to replace a similar vehicle previously in service for one year or more (the "Project"); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the City desires to comply with the SEQR Act and the Regulations with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF ROME, NEW YORK AS FOLLOWS:

1. The Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c)(25) and no further action under the SEQR Act and the Regulations is required.
2. This Resolution shall take effect immediately.

The foregoing Resolution was thereupon declared duly adopted.

Seconded by Councilor \_\_\_\_\_

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

## RESOLUTION NO. 47

RESOLUTION DETERMINING THAT PROPOSED ACTIONS  
ARE TYPE II ACTIONS FOR PURPOSES OF THE NEW YORK STATE  
ENVIRONMENTAL QUALITY REVIEW ACT

By Councilor \_\_\_\_\_

WHEREAS, the Common Council of the City of Rome, Oneida County, New York (the "City") is considering undertaking the purchase of machinery and apparatus for construction and maintenance (the "Project"); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the City desires to comply with the SEQR Act and the Regulations with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF ROME, NEW YORK AS FOLLOWS:

1. The Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c)(25) and no further action under the SEQR Act and the Regulations is required.
2. This Resolution shall take effect immediately.

The foregoing Resolution was thereupon declared duly adopted.

Seconded by Councilor \_\_\_\_\_.

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

## RESOLUTION NO. 48

RESOLUTION DETERMINING THAT PROPOSED ACTION IS A ARE TYPE II  
ACTION FOR PURPOSES OF THE NEW YORK STATE ENVIRONMENTAL  
QUALITY REVIEW ACT

By Councilor \_\_\_\_\_

WHEREAS, the Common Council of the City of Rome, Oneida County, New York (the "City") is considering undertaking the renovation and reconstruction of Fire Department locker rooms, including original equipment, machinery, furnishings, apparatus, appurtenances and incidental improvements and expenses in connection therewith (the "Project"); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the City desires to comply with the SEQR Act and the Regulations with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF ROME, NEW YORK AS FOLLOWS:

1. The Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c)(2) and no further action under the SEQR Act and the Regulations is required.
2. This Resolution shall take effect immediately.

The foregoing Resolution was thereupon declared duly adopted.

Seconded by Councilor \_\_\_\_\_.

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

RESOLUTION NO. 49

RESOLUTION DETERMINING THAT ACTION TO  
CONSTRUCT AND INSTALL CERTAIN IMPROVEMENTS  
TO THE CITY WATER SUPPLY AND DISTRIBUTION  
SYSTEM WILL NOT HAVE A SIGNIFICANT EFFECT ON  
THE ENVIRONMENT

By Councilor \_\_\_\_\_:

WHEREAS, the Common Council of the City of Rome, Oneida County, New York (the "City") is considering undertaking the construction of improvements to the City's water supply and distribution system, including the acquisition and installation of original furnishings, equipment, machinery or apparatus required in connection therewith (the "Project"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-b of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York ("DEC"), being 6 NYCRR Part 617, as amended (the "Regulations"), the City desires to determine whether approving the funding of the Project may have a significant effect on the environment and therefore require the preparation of an environmental impact statement; and

WHEREAS, the City has prepared an environmental assessment form for the Project (the "EAF"), a copy of which was presented to and reviewed by the Common Council at this meeting and a copy of which is on file in the office of the City Clerk; and

WHEREAS, pursuant to the Regulations, the Common Council has examined the EAF in order to make a determination as to the potential environmental significance of the Project; and

WHEREAS, the Project does not appear to constitute a "Type I Action" (as defined by the Regulations);

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ROME, ONEIDA COUNTY, NEW YORK AS FOLLOWS:

1. Based on an examination of the EAF and based further upon the City's knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the City has deemed appropriate, the City makes the following findings with respect to the Project:

(a) The Project is described in the EAF;

(b) The Project constitutes an "unlisted action" (as defined in the Regulations)"

(c) No potentially significant effect on the environment is noted in the EAF for the Project, and none are known to the City;

(d) The Project will not have a significant effect on the environment; and the City will not require the preparation of an environmental impact statement with respect to the Project; and

(e) As a result of the foregoing, the City has prepared a negative declaration with respect to the Project.

2. The City Clerk is hereby directed to maintain a copy of the negative declaration in the Office of the City Clerk in a file that is readily accessible to the public.

3. This resolution shall take effect immediately.

The foregoing resolution was thereupon declared duly adopted.

Seconded by Councilor \_\_\_\_\_.

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

ORDINANCE NO. 8993

AUTHORIZING MAYOR OF THE CITY OF ROME TO APPROVE  
THE SALE OF CITY OWNED PARCEL (210 HENRY STREET)  
TO BUYER.

By Councilor \_\_\_\_\_:

WHEREAS, New York State Real Property Tax Law Section 1166 and Rome Charter Laws Section 33(3) allow the City of Rome to sell and convey real property obtained by virtue of a tax foreclosure proceeding, upon approval and confirmation of a 5/7 vote of the Rome Common Council, with or without advertising for bids, and;

WHEREAS, as a result of tax sale, certain city owned parcels of land are in the City's possession and the City desires to sell and convey said real property to a responsible buyer, now, therefore;

BE IT ORDAINED, that the Mayor of the City of Rome is authorized to convey certain parcels of land with the buyer listed in Exhibit A for the sale of the real property listed in Exhibit A, and;

BE IT FURTHER ORDAINED, by the Common Council of the City of Rome that it approves and confirms the sale and conveyance of the real property listed in Exhibit A to the buyer listed in Exhibit A for the monetary consideration listed in Exhibit A, said conveyance to take place following the contingencies hereinafter set forth, and;

BE IT FURTHER ORDAINED, that this authorization is contingent upon the buyer having completed this transaction by rendering any payment in full to the City of Rome within forty-five (45) days following receipt and review of copies of the proposed transfer documents pursuant to this sale.

Seconded by Councilor \_\_\_\_\_.

By Councilor \_\_\_\_\_

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8993

Seconded by Councilor \_\_\_\_\_

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ORDINANCE NO. 8993

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

EXHIBIT "A"

TAX MAP NO: 242.057-0001-032

PROPERTY ADDRESS: 210 Henry Street

CONSIDERATION: \$500.00

BUYER: James Brognano/Elizabeth Zandi



## ORDINANCE NO. 8994

AUTHORIZING THE ISSUANCE OF \$35,000 SERIAL BONDS OF THE  
CITY OF ROME, ONEIDA COUNTY, NEW YORK TO FINANCE THE  
PURCHASE OF A FIRE DEPARTMENT COMMAND VEHICLE.

By Councilor \_\_\_\_\_:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental and Quality Review Act, have been performed; and

WHEREAS, it is now desired to provide the financing of such capital project;

BE IT ORDAINED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Rome, Oneida County, New York (the "City"), as follows:

Section 1. The City is hereby authorized to undertake the purchase of a Fire Department command vehicle to replace a similar vehicle previously in service for one year or more, at an estimated maximum cost of \$35,000, and to issue serial bonds, the aggregate principal amount not to exceed \$35,000, pursuant to the provisions of the Local Finance Law to finance the costs of the aforesaid class of objects or purposes.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$35,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of not to exceed \$35,000 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance; **PROVIDED, HOWEVER,** that to the extent that any Federal or State grants-in-aid are received for such class of objects or purposes, the amount of Bonds to be issued pursuant to this Ordinance shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is three (3) years, pursuant to paragraph 77 of Section 11.00(a) of the Local Finance Law.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise

created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this Ordinance.

Section 6. The Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this Ordinance and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the City Treasurer, the Chief Fiscal Officer of the City.

Section 8. This Ordinance is intended to constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by this Ordinance with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this Ordinance, no moneys are reasonably expected to be received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this Ordinance are hereby authorized to be consolidated, at the option of the City Treasurer, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other Bond Ordinances previously or hereafter adopted by the Common Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such ordinances. All matters regarding the sale of the bonds, including the date of the bonds, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the City Treasurer, the Chief Fiscal Officer of the City.

Section 10. The validity of the Bonds authorized by this Ordinance and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this Ordinance or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The City Treasurer, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the City to provide secondary market disclosure as required by United States Securities and Exchange Commission Rule 15c2-12.

Section 12. This Ordinance, or a summary of this Ordinance, shall be published in the official newspaper of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This Ordinance is not subject to a mandatory or permissive referendum.

Section 14. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this Ordinance.

Section 15. This Ordinance shall take effect immediately upon its adoption.

Seconded by Councilor \_\_\_\_\_  
By Councilor \_\_\_\_\_

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8994

Seconded by Councilor \_\_\_\_\_

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ORDINANCE NO. 8994

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

## ORDINANCE NO. 8995

AUTHORIZING THE ISSUANCE OF NOT EXCEED \$1,201,000 BONDS  
OF THE CITY OF ROME, ONEIDA COUNTY, NEW YORK, TO  
FINANCE THE PURCHASE OF MACHINERY AND APPARATUS FOR  
CONSTRUCTION AND MAINTENANCE.

By Councilor \_\_\_\_\_:

BE IT ORDAINED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Rome, Oneida County, New York (the "City"), as follows:

Section 1. The City is hereby authorized to undertake the purchase of machinery and apparatus for construction and maintenance, the cost of each item of which is \$30,000 or more, at a total estimated maximum cost of \$1,201,000, and to issue serial bonds, the aggregate principal amount not to exceed \$1,201,000, pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid class of objects or purposes.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$1,201,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of not to exceed \$1,201,000 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance; **PROVIDED, HOWEVER,** that to the extent that any Federal or State grants-in-aid are received for such class of objects or purposes, the amount of Bonds to be issued pursuant to this Ordinance shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen (15) years, pursuant to subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this Ordinance.

Section 6. The Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law

and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this Ordinance and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the City Treasurer, the Chief Fiscal Officer of the City.

Section 8. This Ordinance is intended to constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by this Ordinance with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this Ordinance, no moneys are reasonably expected to be received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this Ordinance are hereby authorized to be consolidated, at the option of the City Treasurer, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other Bond Ordinances previously or hereafter adopted by the Common Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such ordinances. All matters regarding the sale of the bonds, including the date of the bonds, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the City Treasurer, the Chief Fiscal Officer of the City.

Section 10. The validity of the Bonds authorized by this Ordinance and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this Ordinance or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The City Treasurer, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the City to provide secondary market disclosure as required by United States Securities and Exchange Commission Rule 15c2-12.

Section 12. This Ordinance, or a summary of this Ordinance, shall be published in the official newspaper of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This Ordinance is not subject to a mandatory or permissive referendum.

Section 14. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this Ordinance.

Section 15. This Ordinance shall take effect immediately upon its adoption.

Seconded by Councilor \_\_\_\_\_  
By Councilor \_\_\_\_\_

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8995

Seconded by Councilor \_\_\_\_\_

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ORDINANCE NO. 8995

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

ORDINANCE NO. 8996

AUTHORIZING THE ISSUANCE OF NOT  
TO EXCEED \$100,000 SERIAL BONDS OF THE CITY OF  
ROME, ONEIDA COUNTY, NEW YORK, TO PAY THE  
COST OF THE RECONSTRUCTION FIRE DEPARTMENT  
LOCKER ROOMS

By Councilor \_\_\_\_\_:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed, now, therefore,

BE IT ORDAINED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Rome, Oneida County, New York, as follows:

Section 1. The City of Rome, Oneida County, New York (the "City") is hereby authorized to undertake the renovation and reconstruction of City Fire Department locker rooms, including original equipment, machinery, furnishings, apparatus, appurtenances and incidental improvements and expenses in connection therewith at an estimated maximum cost of \$100,000 and to issue not to exceed \$100,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid class of objects or purposes.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$100,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of not to exceed \$100,000 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance; **PROVIDED, HOWEVER,** that to the extent that any Federal or State grants-in-aid are received for such objects or purposes, the amount of bonds to be issued pursuant to this ordinance shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid objects or purposes is twenty-five (25) years pursuant to paragraph 12(a)(1) of Section 11.00(a) of the Local Finance Law.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise

created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this Ordinance.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this Ordinance and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the City Treasurer, the Chief Fiscal Officer of the City.

Section 8. This Ordinance is intended to constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by this Ordinance with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this Ordinance, no moneys are reasonably expected to be received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this Ordinance are hereby authorized to be consolidated, at the option of the City's Treasurer, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other Bond Ordinances previously or hereafter adopted by the Common Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such ordinances. All matters regarding the sale of the bonds, including the date of the bonds, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the City Treasurer, the Chief Fiscal Officer of the City.

Section 10. The validity of the Bonds authorized by this Ordinance and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or



(b) the provisions of law which should be complied with at the date of the publication of this Ordinance or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The City Treasurer, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the City to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 12. This Ordinance, or a summary of this Ordinance, shall be published in the official newspapers of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This Ordinance is not subject to a mandatory or permissive referendum.

Section 14. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this Ordinance.

Section 15. This Ordinance shall take effect immediately upon its adoption.

Seconded by Councilor \_\_\_\_\_.

By Councilor \_\_\_\_\_

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No.8996

Seconded by Councilor \_\_\_\_\_

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ORDINANCE NO. 8996

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED:

## ORDINANCE NO. 8997

AUTHORIZING THE ISSUANCE OF \$8,500,000 BONDS  
OF THE CITY OF ROME, ONEIDA COUNTY, NEW  
YORK, TO PAY COSTS OF IMPROVEMENTS TO THE CITY  
WATER SUPPLY AND DISTRIBUTION SYSTEM

By Councilor \_\_\_\_\_:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed, now, therefore,

BE IT ORDAINED, by the affirmative vote of not less than two-thirds of the total voting strength of the Common Council of the City of Rome, Oneida County, New York, as follows:

Section 1. The City of Rome, Oneida County, New York (the "City") is hereby authorized to undertake the construction of improvements to the City's water supply and distribution system, including the acquisition and installation of original furnishings, equipment, machinery or apparatus required in connection therewith, at an estimated maximum cost of \$8,500,000 and to issue an aggregate \$8,500,000 in serial bonds pursuant to the provisions of the Local Finance Law to finance the estimated costs of the aforesaid class of objects or purposes.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$8,500,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$8,500,000 in serial bonds (the "Bonds") of the City authorized to be issued pursuant to this Ordinance; **PROVIDED, HOWEVER,** that to the extent that any Federal or State grants-in-aid are received for such class of objects or purposes, the amount of bonds to be issued pursuant to this ordinance shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years pursuant to paragraph 1 of Section 11.00(a) of the Local Finance Law. The proposed maturity of the bonds will be in excess of five (5) years.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise

created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this Ordinance.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this Ordinance and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the City Treasurer, the Chief Fiscal Officer of the City.

Section 8. This Ordinance is intended to constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by this Ordinance with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this Ordinance, no moneys are reasonably expected to be received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this Ordinance are hereby authorized to be consolidated, at the option of the City's Treasurer, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other Bond Ordinances previously or hereafter adopted by the Common Council for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such ordinances. All matters regarding the sale of the bonds, including the date of the bonds, the consolidation of the serial bonds and the bond anticipation notes with other issues of the City and the serial maturities of the bonds are hereby delegated to the City Treasurer, the Chief Fiscal Officer of the City.

Section 10. The validity of the Bonds authorized by this Ordinance and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this Ordinance or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The City Treasurer, as Chief Fiscal Officer of the City, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the City to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 12. This Ordinance, or a summary of this Ordinance, shall be published in the official newspapers of the City for such purpose, together with a notice of the Clerk of the City in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This Ordinance is not subject to a mandatory or permissive referendum.

Section 14. The Council hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this Ordinance.

Section 15. This Ordinance shall take effect immediately upon its adoption.

Seconded by Councilor \_\_\_\_\_  
By Councilor \_\_\_\_\_

RESOLVED, that the unanimous consent of this Common Council be, and the same hereby is given to the consideration of Ordinance No. 8997

Seconded by Councilor \_\_\_\_\_

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ORDINANCE NO. 8997

AYES & NAYS: Trifeletti \_\_\_\_\_ Mortise \_\_\_\_\_ Rogers \_\_\_\_\_ Smith \_\_\_\_\_ Anderson \_\_\_\_\_  
Nash \_\_\_\_\_ DiMarco \_\_\_\_\_

ADOPTED:

DEFEATED: